



STATE OF MICHIGAN  
DEPARTMENT OF EDUCATION  
LANSING

RICK SNYDER  
GOVERNOR

BRIAN J. WHISTON  
STATE SUPERINTENDENT

**MEMORANDUM**

**DATE:** September 29, 2016  
**TO:** State Board of Education  
**FROM:** Martin Ackley, Office of Public and Governmental Affairs  
**SUBJECT:** State and Federal Legislative Update

**MICHIGAN HOUSE OF REPRESENTATIVES**

**September 20, 2016**

[HB 5897](#) **CYBER SCHOOLS** (Irwin) – A bill to reduce the per pupil allocation for cyber schools beginning in 2015-16 was introduced and referred to the House Appropriations Committee.

[HB 5893](#) **PUBLIC SCHOOL ACADEMIES** (Chang) – A bill to allow geographic preference for charter school enrollment for low-income pupils was introduced and referred to the House Education Committee.

**September 21, 2016**

[HB 5291](#) **EDUCATION BUDGET BOILERPLATE** (Pscholka) – A bill to make changes in the boilerplate for 2016-17 fiscal year budget for school aid, higher education and community colleges was re-returned from the Senate with concurrence to House amendment to Senate substitute S-3.

[HB 5753](#) **TRANSPORTATION** (Price) – A bill to modify requirements for pupil transportation was passed by the House of Representatives and transmitted to the Senate.

[HB 5904](#) **SUBSTITUTE TEACHING** (Muxlow) – A bill to reduce the required number of semester hours of college credit from 90 to 60 to substitute teach was introduced and referred to the House Education Committee.

**STATE BOARD OF EDUCATION**

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[HB 5906](#) **GUN OWNERSHIP** (Chatfield) – A bill to prohibit inquiries of a minor regarding gun ownership within the minor’s household by health care personnel, social workers, or school personnel under certain conditions was introduced and referred to the House Judiciary Committee.

### **September 22, 2016**

[HB 4791](#) **SOCIAL MEDIA** (Zemke) – A bill to require school districts to adopt and implement a policy regulating social media interaction between students and employees was re-referred to the House Education Committee from the House floor.

[HB 5409-5418](#) **SCHOOLWIDE POSITIVE BEHAVIORAL INTERVENTION AND SUPPORT PLANS** (Liberati, Greig, Price, Vaupel, Tedder, Heise) – Bills to develop a state policy on schoolwide positive intervention and supports plans was reported from House Education Committee and referred to second reading in the House of Representatives.

[HB 5938](#) **INDIVIDUAL INCOME TAX** (Muxlow) – A bill to provide for an individual income tax credit for expenditures by certain school teachers for certain supplies was introduced and referred to the House Tax Policy Committee.

[HB 5942](#) **IEP OMBUDSMAN** (Chang) – A bill to create an IEP ombudsman within the Office of Special Education was introduced and referred to the House Education Committee.

[HJR SS](#) **STATE SCHOOL AID FUND** (Muxlow) – A resolution to revise the permissible uses of the State School Aid Fund under the State Constitution was introduced and referred to the House Appropriations Committee.

## **MICHIGAN SENATE**

### **September 20, 2016**

[HB 5618-5621](#) and [HB 5693-5695](#) **SUSPENSION AND EXPULSION** (Schor, Pscholka, Zemke, Lyons, Howrylak, LaGrand, Lucido) – Bills to modify suspension and expulsion requirements were reported favorably by the Senate Judiciary Committee and referred to the Senate Committee of the Whole. A S-2 substitute was adopted for HB 5618.

### **September 21, 2016**

[SB 999](#) **PROMISE ZONES** (Knezek) – A bill to increase the number of governing bodies authorized to establish promise zones was reported from the Senate Government Operations Committee with substitute S-1 and referred to the Senate Committee of the Whole.

[SB 1103](#) **IEP OMBUDSMAN** (Hertel) – A bill to create an individual education plan ombudsman in Department of Education was introduced and referred to the Senate Education Committee.

[HB 4822](#) **THIRD GRADE READING** (Price) – A conference report for a bill to require attainment of a minimum benchmark on state reading assessment for promotion of third grade students to next grade level and provide for early evaluation and intervention programs was adopted by the House of Representatives and Senate and presented to the Governor.

## **MISCELLANEOUS**

Representative VerHeulen officially announced September 27 that he conceded the House Republican leadership race to Representative Leonard.

## **FEDERAL UPDATE**

### **CONGRESS**

#### **Supplement not Supplant Hearing in the House**

The U.S. House Early Childhood, Elementary, and Secondary Education Subcommittee held a [hearing](#) on Wednesday, September 21, on Supplement not Supplant (SNS). Nevada Superintendent Steve Canavero testified at this hearing and a webcast of the hearing is available [here](#). Of note are both [Steve Canavero's](#) and Georgetown economist [Nora Gordon's](#) written testimony as resources on this issue. For more about SNS, please see below.

#### **Perkins/CTE Stalled in the Senate**

The scheduled U.S. Senate Perkins markup was postponed, as the Health, Education, Labor & Pensions Committee has not been able to finalize a draft bill. The U.S. House previously passed [H.R. 5587](#), the Strengthening Career and Technical Education (CTE) for the 21<sup>st</sup> Century Act, their bill to reauthorize Perkins, by a [vote of 405-5](#).

### **Appropriations**

Congress passed a continuing resolution that will fund federal agencies until December 9 and avoid government shutdown. The U.S. House of Representatives voted 342-85 to pass a “clean” funding bill that will keep the federal government funding at current levels. The bill now heads to the White House for President Obama to sign into law.

**ADMINISTRATION**

**Title III Guidance on English Language Learners**

The U.S. Department of Education released [non-regulatory guidance](#) on English Learners under Title III of ESSA. The press release is available [here](#).

**Supplement not Supplant**

The U.S. Department of Education published draft regulations on Supplement not Supplant in the [Federal Register](#) on September 6. Public comments on this notice of public rulemaking are due Monday, November 7.

If you have any questions or concerns regarding these or other legislative issues, please contact me at (517) 241-4395.